

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

MICHAEL THOMPSON

PLAINTIFF

VS.

NO. 3:14cv274NBB-SAA

CALVIN HAMP, in his individual
capacity and in his official
capacity as sheriff of Tunica
County, MS, JAMES JONES, in his
individual capacity and in his
official capacity as a captain in
TUNICA COUNTY sheriff's office, and
UNKNOWN DEFENDANTS "A", "B" AND "C"

DEFENDANTS

DEPOSITION OF JAMES JONES

TAKEN AT THE INSTANCE OF THE PLAINTIFF
IN THE OFFICES OF TUNICA COUNTY SHERIFF'S DEPARTMENT
5126 OLD MHOON LANDING ROAD, TUNICA, MISSISSIPPI
ON NOVEMBER 29, 2016, BEGINNING AT 3:40 P.M.

APPEARANCES NOTED HEREIN

Reported by: REGINA D. RUSSELL, RPR, CCR 1110

ADVANCED COURT REPORTING
P.O. BOX 761
TUPELO, MS 38802-0761
(662) 690-1500



1 APPEARANCES:

2 For the Plaintiff: E. CARLOS TANNER, III,
3 ESQUIRE
4 Tanner & Associates, LLC
5 Post Office Box 3709
6 Jackson, MS 39207
7 (601) 460-1745

8 For the Defendants: MICHAEL J. WOLF, ESQUIRE
9 Page Kruger & Holland
10 Post Office Box 1163
11 Jackson, MS 39215-1163
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1 JAMES JONES, after being duly sworn,
2 testified as follows:

3 EXAMINATION

4 BY MR. TANNER:

5 Q. All right. You are Mr. James Jones. And
6 I'm Carlos Tanner. I represent Michael Thompson, the
7 plaintiff in this case. We're here in Michael
8 Thompson versus Calvin Hamp -- excuse me, Hamp, James
9 Jones and Unknown Defendants "A", "B" and "C" in
10 Civil Action Number 3:14cv274NBB-SAA in the United
11 States District Court for the Northern District of
12 Mississippi, Oxford Division. And we are prepared
13 now to take the deposition of Defendant James Jones.
14 Mr. Jones is present represented by the Honorable
15 Michael J. Wolf. And we are taking this deposition
16 pursuant to the rules of -- the Federal Rules of
17 Civil Procedure and the local rules for the Northern
18 and Southern Districts of Mississippi.

19 And Mr. Jones has been placed under oath. And,
20 Mr. Jones, as you heard a moment ago when you were
21 here for Sheriff Hamp's deposition, I am going to ask
22 you just plain questions. The only thing we ask you
23 is that you give truthful answers. If there's any
24 point at which you do not understand something I ask
25 or if you need clarification, I beg you to please let

1 A. Yes, sir.

2 Q. And are you employed anywhere now?

3 A. No, sir.

4 Q. All right. Did you ever become employed
5 anywhere after your retirement from Tunica County
6 Sheriff's Department?

7 A. I worked briefly at Cohoama Community
8 College doing some education work, mentoring young
9 men. I did that for a short period of time. I
10 eventually let it go. It tied up too much of my
11 time.

12 Q. How long were you in law enforcement with
13 Tunica County Sheriff's Department?

14 A. I got hired in Tunica County Sheriff's
15 Department March the 15th of 2010.

16 Q. You were hired, I take it, by Sheriff
17 Calvin Hamp?

18 A. Yes, sir.

19 Q. Did you have any law enforcement experience
20 prior to joining the Tunica County Sheriff's
21 Department?

22 A. Yes, sir.

23 Q. And where was that, sir?

24 A. I worked for the Mississippi Bureau of
25 Narcotics and I worked for the Panola County Task --

1 Panola County/Tate County Drug Task Force. And I
2 worked for the Batesville Police Department.

3 Q. How many years combined law enforcement
4 experience did you have?

5 A. Twenty -- about maybe 23 hard years, that
6 and the military.

7 Q. Okay. And in what branch of the military
8 were you in?

9 A. United States Army.

10 Q. How long did you -- how much time did you
11 spend in the Army?

12 A. I retired about twenty-six and a half
13 years.

14 Q. Okay. On February 12, 2014, you arrested a
15 man that you know to be Michael Thompson?

16 A. Yes, sir.

17 Q. All right. And where did that arrest
18 occur? I know that arrest occurred in Tunica County,
19 Mississippi. Can you tell us where specifically it
20 occurred?

21 A. On Highway 61 North about a mile or mile
22 and a half from Casino Strip and Highway 61
23 intersection.

24 Q. Okay. What was the basis for the stop,
25 sir?

1 A. I was traveling north on Highway 61. I saw
2 a vehicle going in and out of lanes of traffic,
3 obscuring. I didn't know what was going on, if he
4 was drunk or what was going on with it. So I pulled
5 the vehicle over to see, make sure it was okay. And
6 that's the nature of me pulling the vehicle over.

7 Q. Okay. Had you ever seen the vehicle
8 before?

9 A. No. Yeah, I think I've seen the vehicle
10 before. I mean, that vehicle, there are many
11 vehicles like that vehicle. But that particular
12 vehicle I hadn't seen it, you know what I'm saying.
13 I probably had seen it. I don't know. It's
14 different vehicles.

15 Q. All right. You didn't know what vehicle
16 you were stopping?

17 A. No.

18 Q. How many stops did you make that day?

19 A. That's the only stop I made.

20 Q. All right. At that time, February of 2014,
21 what percentage of your time did you spend patrolling
22 for traffic violations?

23 A. I didn't spend any percentage patrolling
24 traffic violations on that particular day. I was
25 taking care of my personal paperwork and reports that

1 A. That's correct.

2 Q. All right. Did you pull NCIC on these
3 guys?

4 A. I did.

5 Q. NCIC didn't tell you anything about where
6 these guys were from?

7 A. It told me something but to be honest with
8 you, I can't remember now. It has been -- man, I
9 mean, February 2014. So we're almost in 2017. I
10 can't remember unless it's something in front of me.

11 Q. Well, you know what, Mr. Wiley's I.D., you
12 would have seen that, right?

13 A. Yeah. I seen it. I ran his license.

14 Q. Right. That's part of the normal
15 background checks that y'all run, right?

16 A. Yes.

17 Q. What state was that license from, sir?

18 A. I'm sorry. I really can't remember.
19 Tennessee or Mississippi. I don't know. You got to
20 understand, it has been a while. I've been retired
21 for a minute. I don't know. I know his license came
22 back reinstate -- it's something that was crazy.
23 Eligible for reinstatement, and I didn't understand
24 what that meant.

25 Q. From what state, sir?

1 Q. Did you write him a ticket?

2 A. I didn't write him a ticket. After I
3 stopped Mr. Wiley he told me who he was and who
4 Mr. Thompson was. After I ran his license it came
5 back that, which I'd never heard of before. I didn't
6 know what it was. I didn't want to write somebody a
7 ticket for something that don't make any sense. I
8 showed them professional courtesy and I let him go.
9 I didn't write him a ticket or anything like that.

10 Q. And what about the SFSTs?

11 A. What's that?

12 Q. Standard field society test. You're not
13 familiar with SFSTs?

14 A. I'm familiar with what you just said. I'm
15 not familiar with the abbreviation part of it.

16 Q. Okay. Sorry. Have you had any experience
17 or training in how to perform standard field society
18 tests?

19 A. Are you referring to just interview and
20 interrogation while you're on the side of the road or
21 are you referring to something like a DUI?

22 Q. Isn't that what you suspected, sir, a DUI?

23 A. Yeah. I suspected it. But after I talked
24 with him, then I realized that he wasn't drunk.

25 Q. Okay. So you didn't make him do heel to

1 A. That's correct.

2 Q. Prior to making this stop you knew that
3 Michael Thompson's license was suspended, right?

4 A. That's correct.

5 Q. But you told him you need to take control
6 of this car?

7 A. I asked -- I didn't tell him that. I asked
8 Mr. Thompson, do he have his license, do he have a
9 driver's license. Mr. Thompson answered me and said
10 yes. "Are your license valid, sir?" He said, "Yes,
11 sir. They are." I didn't make him do anything.

12 Q. I didn't say you made him. I said, and you
13 correct me if I'm wrong, have you not testified prior
14 to today that you told Michael Thompson you need to
15 take control of the vehicle?

16 A. Yes. After he told me that his license was
17 great.

18 Q. But you knew otherwise?

19 A. I did.

20 Q. So you violated what you just said in that
21 you let a man you knew to have a suspended license
22 drive a vehicle?

23 A. No, sir. Mr. Thompson lied to me.

24 Q. All right. Let's define lie.

25 A. Okay.

1 pulled in that area after I initiated my blue lights,
2 he pulled into that lit area there.

3 Q. How much time elapsed between Mr. Thompson
4 taking off from the first stop and you stopping him
5 the second time?

6 A. Maybe a couple of minutes maybe. I say
7 maybe a minute or two.

8 Q. A minute or two?

9 A. Yes.

10 Q. All right. And tell me the reason you
11 stopped Mr. Thompson at that point.

12 A. Mr. Thompson was being deceitful. He was
13 lying to me about his particular license.

14 Q. You did not have probable cause to stop
15 him, did you?

16 A. If I see an individual with suspended
17 license and me knowing that that license is
18 suspended, the probable cause is their suspended
19 license.

20 Q. But he drove with a suspended license only
21 after you told him he needed to take control of the
22 vehicle?

23 A. After I told him to take control of the
24 vehicle?

25 Q. Yes.

C E R T I F I C A T E

STATE OF MISSISSIPPI)

COUNTY OF LEE)

RE: ORAL DEPOSITION OF JAMES JONES

I, Regina D. Russell, RPR, CCR 1110, a Notary Public within and for the aforesaid county and state, duly commissioned and acting, hereby certify that the foregoing proceedings were taken before me at the time and place set forth above; that the statements were written by me in machine shorthand; that the statements were thereafter transcribed by me, or under my direct supervision, by means of computer-aided transcription, constituting a true and correct transcription of the proceedings; and that the witness was by me duly sworn to testify to the truth and nothing but the truth in this cause.

I further certify that I am not a relative or employee of any of the parties, or of counsel, nor am I financially or otherwise interested in the outcome of this action.

Witness my hand and seal on this 10th day of December, 2016.

My Commission Expires: CCR 1110
January 27, 2020 Notary Public